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5 THE HONORABLE JOHN C. COUGHENOUR
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11 IN THE UNITED STATES DISTRICT COURT
12 WESTERN DISTRICT OF WASHINGTON
13 AT SEATTLE
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16 SCOTT AND KATHRYN KASEBURG, ET
17 AL,
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19 Plaintiffs,
20 vs.
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22 PORT OF SEATTLE, a municipal corporation;
23 PUGET SOUND ENERGY, INC., a
24 Washington for profit corporation,
25 KING COUNTY, a home rule charter county,
and CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY, a municipal
corporation,

Defendants.

NO. 2:14-CV-000784-JCC

PLAINTIFFS' MOTION TO RE-NOTE
MOTION FOR DECLARATORY
JUDGMENT THAT THE RAILROAD
ORIGINALLY ACQUIRED AN
EASEMENT, THAT THE EASEMENT
WAS LIMITED TO RAILROAD
PURPOSES ONLY, AND THAT THE
RAILROAD'S EASEMENT HAS BEEN
CONVERTED TO AN EASEMENT FOR A
RECREATIONAL TRAIL WITH THE
POTENTIAL REACTIVATION OF A
RAILROAD BY AND THROUGH THE
TRAILS ACT

NOTE ON CALENDAR: 2/6/2015

18 Defendants contacted Plaintiffs requesting additional time to respond to Plaintiffs motion
19 for declaratory judgment. Plaintiffs are willing to allow additional time and, therefore, Plaintiffs
20 move to re-note Plaintiffs' Motion for Declaratory Judgment that the Railroad Originally
21 Acquired an Easement, that the Easement was Limited to Railroad Purposes Only, and that the
22 Railroad's Easement has been Converted to an Easement for a Recreational Trail with the
23

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25 Plaintiffs' Motion to Re-Note Motion for Declaratory Judgment that the
Railroad Originally Acquired an Easement, that the Easement was Limited to
Railroad Purposes Only, and that the Railroad's Easement has been
Converted to an Easement for a Recreational Trail with the Potential
Reactivation of a Railroad by and Through the Trails Act
2:14-cv-000784-JCC

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1 Potential Reactivation of a Railroad by and Through the Trails Act, to note on calendar for
2 February 6, 2015.

3
4 Date: December 11, 2014.

BAKER STERCHI COWDEN & RICE, L.L.C.

5 By: /s/ Thomas S. Stewart

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18 ATTORNEYS FOR PLAINTIFFS

19 **CERTIFICATE OF SERVICE**

20 I hereby certify that on the 11th day of December, 2014, a copy of the above and
21 foregoing was filed with the Clerk of the Court, with a copy of the same being served via U.S.
22 mail on this 11th day of December, 2014, to:

23 Timothy G. Leyh

24 Randall Thomsen

Kristin Ballinger

25 CALFO, HARRIGAN, LEYH & EAKES, LLP

Plaintiffs' Motion to Re-Note Motion for Declaratory Judgment that the
Railroad Originally Acquired an Easement, that the Easement was Limited to
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36 /s/ Thomas S. Stewart

37 Attorney for Plaintiff

38 Plaintiffs' Motion to Re-Note Motion for Declaratory Judgment that the
39 Railroad Originally Acquired an Easement, that the Easement was Limited to
40 Railroad Purposes Only, and that the Railroad's Easement has been
41 Converted to an Easement for a Recreational Trail with the Potential
42 Reactivation of a Railroad by and Through the Trails Act

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